



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,516	04/15/2004	Yasuo Nomura	250612US6DIV	6475
22850 7590 01/11/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER ONUAKU, CHRISTOPHER O	
			ART UNIT	PAPER NUMBER
			2621	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/824,516	Applicant(s) NOMURA ET AL.	
	Examiner Christopher Onuaku	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/15/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

ABSTRACT

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the Abstract contains in lines 4,5,6,9&10 the legal phraseology such as "means" which should be avoided.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Art Unit: 2621

4. Claim 7 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 7 cites "A **medium** for causing an information apparatus for dealing with moving pictures to execute a **program**". The claim limitations in effect are claiming a program stored in a medium to perform some computer program steps which constitutes functional descriptive material but which has no practical application that provides concrete, tangible and useful result, and, therefore, non-statutory. On page 91 of the Specification, applicant discloses that the program may be transferred in a wireless fashion from a download site to the personal computer via a satellite for digital satellite broadcasting. This wireless aspect of the medium for transferring the program indicates that the medium can be a signal. And signals are intangible, which makes the claim non-statutory since this lacks practical application that produces a useful tangible, and concrete result (see pages 52-54 of the new 35 U.S.C. 101 Guideline).

Allowable Subject Matter

5. Claims 1-6 are allowable over the prior art of record.
6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the invention relates to an apparatus and a method for information processing involving the recording of pictures, as well as to a medium for accommodating that method.

The closest references Aotake (US 6,411,771) discloses a picture processing apparatus/method, and a recording medium being capable of carrying out search of a desired scene with ease, and Aoki et al (US 5,111,299) disclose a still camera that is provided with at least one module changing device, a time/date device or an exposure compensating device which can be used with the still video camera that is provided with a playback device or an audio recording/playback device.

However, Aotake and Aoki et al fail to explicitly disclose an information processing apparatus for dealing with moving pictures, where the information processing apparatus further comprises display controlling means for providing display control in such a manner as to display, given a reference position on a screen, the still pictures in positions at distances from the reference position, the distances reflecting differences between a time stamp corresponding to the reference position on the one hand and the time stamps of the scene switchovers on the other hand.

Regarding claim 6, the invention relates to an apparatus and a method for information processing involving the recording of pictures, as well as to a medium for accommodating that method.

The closest references Aotake (US 6,411,771) discloses a picture processing apparatus/method, and a recording medium being capable of carrying out search of a desired scene with ease, and Aoki et al (US 5,111,299) disclose a still camera that is provided with at least one module changing device, a time/date device or an exposure

Art Unit: 2621

compensating device which can be used with the still video camera that is provided with a playback device or an audio recording/playback device.

However, Aotake and Aoki et al fail to explicitly disclose an information processing method for use with an information processing apparatus for dealing with moving pictures, where the information processing method further comprises the steps providing display control in such a manner as to display, given a reference position on a screen, the still pictures in positions at distances from the reference position, the distances reflecting differences between a time stamp corresponding to the reference position on the one hand and the time stamps of the scene switchovers on the other hand.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ohno et al (US 6,038,366) teach a magnetic recording/reproducing apparatus which is imparted with capabilities of easily discriminating or identifying a cassette tape as loaded, searching a desired program recorded thereon, indexing heading portions of programs, displaying caption or teletex and so forth by making use of information signals such as a character signal (teletex signal), control signals, etc. which are superimposed on a video signal.

Dunn et al (US 5,648,824) teach video control user interface used in interactive television systems, including methods for operating an interactive television system and particularly, for controlling viewing of video movies on a television.

Art Unit: 2621

Yuen et al (US 6,487,362) teach means and method for facilitating management, storage and retrieval of programs on a cassette of magnetic tape, including maintaining current information about a tape in a magnetic tape cassette.

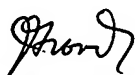
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Onuaku whose telephone number is 571-272-7379. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


COO

1/5/07


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2621